

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present After-Final Amendment is being made to facilitate prosecution of the application and does not require further search.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 17-27 are pending in this application. Claims 1-16 have been canceled without prejudice or disclaimer of subject matter. Claims 17 and 25-27, which are independent, have been amended. Support for this amendment is provided throughout the Specification as originally filed, specifically at page 39. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. § 103(a)

Claims 17-27 were rejected under 35 U.S.C. §103(a) as being allegedly unpatentable over U.S. Patent No. 6,181,711 to Zhang et al. in view of U.S. Patent No. 6,490,370 to Krasinski et al.

Independent claim 17, as amended, recites, *inter alia*:

“...wherein said **coding difficulty is a function of a sum of a difficulty of each segment** of the content and a sum of a difficulty of each sequence of the content...” (emphasis added)

As understood by Applicants, U.S. Patent No. 6,181,711 to Zhang et al.

(hereinafter, merely “Zhang”) relates to the lossless transmission of bit streams containing pre-compressed video signals over digital communication channels. Zhang recites, “[T]he key to a simplified rate conversion scheme according to the present invention, is therefore to bypass some of these expensive steps...if we take path A, the entire decoding and encoding processes are performed, resulting in the most flexibility and quality potential, at the cost of being the most expensive.” (see column 7, lines 7-17)

As understood by Applicants, U.S. Patent No. 6,490,370 to Krasinski et al.

(hereinafter, merely “Krasinski”) relates to a video processing device that describes multimedia content. This description is selected from a plurality of features and may also include user input.

Applicants submit that nothing has been found in either Zhang or Krasinski, taken alone or in combination, that would disclose or suggest the above-identified features of claim 17. Specifically, a simplified rate conversion scheme, as disclosed in Zhang, when combined with descriptors of features, as described in Krasinski, does not teach or suggest that “said **coding difficulty is a function of a sum of a difficulty of each segment** of the content and a sum of a difficulty of each sequence of the content,” as recited in amended independent claim 17.

For reasons similar to or somewhat similar to those described above with regard to independent claim 17, amended independent claims 25-27 are also believed to be patentable.

III. DEPENDENT CLAIMS

The other claims are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the above-identified reasons. Since each dependent claim is also deemed to define an additional aspect of the invention,

however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

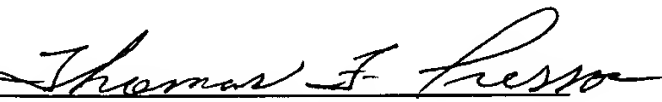
CONCLUSION

In the event the Examiner disagrees with any of the statements appearing above with respect to the disclosures in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Applicants submit that this After-Final Amendment does not require further search and that all of the claims are in condition for allowance. Applicants respectfully request entry of this After-Final Amendment and early passage to issue of the present application.

Please charge any fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 
Thomas F. Presson
Reg. No. 41,442
(212) 588-0800